

SEALED

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	)	CRIMINAL NO.
	)	
v.	)	VIOLATIONS:
	)	18 U.S.C. §§ 2, 201(b)(1)(A) & (C)
	)	(Bribery)
FRANK RAFARACI,	)	18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. §
	)	2461(c) (Forfeiture)
Defendant.	)	
	)	

INDICTMENT

The Grand Jury charges that:

Background

At all times material to this Indictment:

Relevant Individuals and Entities

1. From in or around October 2006 until in or around December 2017, Public Official 1 was a Marine Liaison Officer for the U.S. Navy's Fifth Fleet in Manama, Bahrain. From in or around December 2017 until in or around July 2020, Public Official 1 was a civilian Transportation Specialist for the U.S. Army. In or around July 2020, Public Official 1 returned to his position with the U.S. Navy in Bahrain as a Marine Liaison Officer.

2. Public Official 1 was at all times a civilian employee of the U.S. military, and was a "public official" within the definition of Title 18, United States Code, Section 201(a)(1). During his employment with the U.S. Navy, port visits and the supervision of ship husbanding services in Bahrain were matters within Public Official 1's official duties.

3. Defendant **FRANK RAFARACI** was a United States citizen. **RAFARACI** was the Chief Executive Officer of Company 1, a multi-national corporation with headquarters in

Malta. As of March 2021, Company 1 had operating locations in various countries, including the United Kingdom, United Arab Emirates, Singapore, and the United States.

4. Company 1's primary business was "ship husbanding," which is the coordination, scheduling, and direct and indirect procurement of items and services required by ships when they arrived into port. Company 1 provided ship husbanding services to the U.S. Navy, as well as various countries around the world.

COUNT ONE
Bribery of a Public Official
(18 U.S.C. § 201(b)(1)(A) & (b)(1)(C) and 2)

5. The introductory allegations in paragraphs 1 through 4 are re-alleged and incorporated by reference as though fully set forth herein.

6. From in or around 2013 through in or around 2021, out of the jurisdiction of any particular State or district, defendant **FRANK RAFARACI**, corruptly did give, offer, and promise anything of value to Public Official 1, with intent to influence an official act and to induce the commission and omission of any act in violation of the lawful duty of such official; that is, **RAFARACI** gave, offered, and promised money to Public Official 1 in exchange for Public Official 1 using his official position to take actions benefitting Company 1 as opportunities arose, and aided and abetted the same; to wit, **RAFARACI** gave Public Official 1 cash in order to influence Public Official 1's actions as a U.S. Navy official in Bahrain.

All in violation of Title 18, United States Code, Sections 201(b)(1)(A), 201(b)(1)(C) and 2.

FORFEITURE ALLEGATION

7. Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of an offense against the United States, that is, bribery, in violation of 18 U.S.C. § 201(b)(1)(A) and (C), as alleged in this Indictment, the defendant shall forfeit to the United States of America all

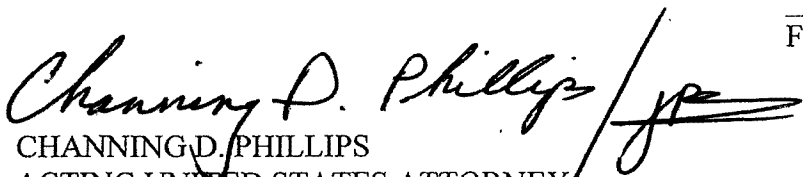
property, real and personal, which constitutes and is derived from proceeds traceable to the conspiracy. The property to be forfeited includes, but is not limited to, a money judgment in the amount of the total loss caused by the defendant's criminal conduct, as determined by the Court at sentencing.

8. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value;
- e. or has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

THIS IS A TRUE BILL.


CHANNING D. PHILLIPS
ACTING UNITED STATES ATTORNEY
IN AND FOR THE DISTRICT OF COLUMBIA

FOREPERSON

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Dated: September 30, 2021